

# **Plaintiffs' Exhibit 197**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

UNITED STATES, et al.,	)	
	)	
Plaintiffs,	)	
v.	)	No. 1:23-cv-00108-LMB-JFA
	)	
GOOGLE LLC,	)	
	)	
Defendant.	)	

**DECLARATION OF KIL-JAE HONG  
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Kil-Jae Hong, pursuant to 28 U.S.C. § 1746, hereby declares as follows:

1. I am over 21 years old and am competent to testify about the matters in this Declaration based on my personal knowledge, upon information provided to me in my official capacity, and upon conclusions and determinations reached and made in accordance therewith.
2. I am the Director of Consumer Information in the Office of Communications and Consumer Information at the National Highway Traffic Safety Administration ("NHTSA"), an operating administration of the U.S. Department of Transportation, and submit this Declaration in support of Plaintiffs' Opposition to Defendant's Motion for Summary Judgment.
3. NHTSA is contractually obligated to reimburse at cost all payments made by Stratacomm, LLC ("Stratacomm") to execute approved advertising purchases on behalf of NHTSA under Contract Nos. 693JJ919D00003 and 693JJ920A000005.
4. Beyond purchasing advertising space on behalf of NHTSA, Stratacomm also provides other advertising services to NHTSA pursuant to the terms of Contract Nos.

693JJ919D00003 and 693JJ920A000005, which are compensated separately from advertising purchases.

5. In coordination with Stratacomm, NHTSA develops and approves detailed media plans, which authorize Stratacomm to execute advertising purchases on NHTSA's behalf, in accordance with those media plans.

6. The discretion afforded to Stratacomm is limited to that authorized and approved by a NHTSA media plan, and Stratacomm works closely with NHTSA to effectuate NHTSA's goals and decisions.

7. The exhibit beginning with Bates number NHTSA-ADS-0000718102 is a true and correct copy of an excerpt of a task order pursuant to Contract No. 693JJ920A000005 between NHTSA and Stratacomm for certain services, showing that invoices for vehicle safety communications services and consumer information services should be detailed and delivered differently from invoices for advertising and media buys.

8. The exhibit beginning with Bates number NHTSA-ADS-0000337070 is a true and correct copy of a 2019 NHTSA media work plan titled "Impaired Driving 2019 HVE Campaigns: Labor Day and December Holiday" and a June 25, 2019 email attaching that plan.

9. The exhibits discussed above were made and kept in the ordinary course of NHTSA's business, and making and keeping these documents was a regular practice of NHTSA's business.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 17, 2024.

Signed: 

Kil-Jae Hong

County and State: Travis County, TX